

SEP 02 2008

Customized PTO/SB/25 (09-06)

**TERMINAL DISCLAIMER TO  
OBVIATE A DOUBLE  
PATENTING REJECTION OVER  
A "PRIOR" PATENT**

Application #	10/714,715
Confirmation #	2334
Filing Date	11/17/2003
First Inventor	ANDERSON, GLEN J.
Art Unit	2179
Examiner	HUYNH, BA
Docket #	P1596US01 (P09386US00/RFH)

The owner, Gateway, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent No. 6,690,396** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

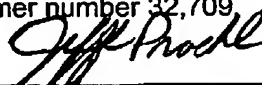
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

☒ Terminal disclaimer fee under 37 CFR 1.20(d) is authorized to be charged to Deposit Account No. 50-0439.

The undersigned is an attorney of record for Customer number 32,709

Date: August 13, 2008

  
By: Jeffrey A. Proehl, Reg No.: 35,987  
Attorney of Record, Customer No. 32709

09/03/2008 HMARZ11 00000009 500439 10714715  
01 FC:1814 130.00 DA